

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES OF  
THE LABORERS HEALTH AND  
WELFARE TRUST FUND FOR  
NORTHERN CALIFORNIA, et al.,

Plaintiffs,

v.

JORGE EDGARD QUINONES, et al.,

Defendants.

NO. C09-0272 TEH

ORDER OF DISMISSAL

This case was reassigned to this Court following Plaintiffs' notice of settlement and a recommendation by Magistrate Judge Wayne Brazil that Plaintiffs' request for a conditional thirty-day dismissal with prejudice be granted. The Court has reviewed the recommendation and the record in this case, and it agrees with Judge Brazil's recommendation. Accordingly, with good cause appearing, IT IS HEREBY ORDERED that this action be dismissed with prejudice, provided that if any party certifies to this Court within thirty days of the date of this order, with proof of service of a copy of the certification on opposing counsel, that the agreed consideration for the parties' settlement has not been delivered over, the foregoing order shall stand vacated and this case shall be reopened and restored to the calendar to be set for trial. IT IS FURTHER ORDERED that Plaintiffs' motion for default judgment is deemed withdrawn in light of Plaintiffs' notice of settlement.

**IT IS SO ORDERED.**

Dated: 08/26/09



THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT